

# Staff Summary Report



To: Mayor and City Council  
Through: City Manager

Agenda Item Number 29  
Meeting Date: 06/07/01

**SUBJECT:** QUIKTRIP #SIP-2001.32

**PREPARED BY:** DeeDee (D<sup>2</sup>) Kimbrell, Planner II (480-350-8331)

**REVIEWED BY:** Dave Fackler, Development Services Manager (480-350-8333)

q-j

**BRIEF:** This is the first public hearing for QuikTrip for a site plan for a gasoline convenience store with a use permit and variance at 1106 East Broadway Road.

**COMMENTS:** **PLANNED DEVELOPMENT (0406)** Hold the first public hearing for **QUIKTRIP** (QuikTrip Corporation, property owner) for a use permit and variance to locate a gasoline/convenience store consisting of 5,326 s.f. and an office building consisting of 10,944 s.f. located at 1106 East Broadway Road. The following approval is requested from the City of Tempe:

**#SIP-2001.32** A site plan for a gasoline convenience store consisting of 5,326 s.f. and an office building consisting of 10,944 s.f. on 3.12 acres located at 1106 East Broadway Road.

Use Permit:  
Allow a fuel dispensing facility to be located in the C-2, General Commercial Zoning District.

Variance:  
Allow a fuel dispensing facility to be located in an area away from the intersection of arterial streets.

Document Name: 20010607devsrh10

Supporting Documents: Yes

**SUMMARY:** This request is for a Site Plan for a QuikTrip gasoline sales facility and an office building located at 1106 East Broadway Road. A use permit and a variance are being requested with this proposal. The use permit is to allow a fuel dispensing facility in the C-2 Zoning District. The variance is to allow a fuel dispensing facility away from an arterial street intersection. Staff believes that the proposed fuel dispensing facility use is not appropriate for this location. Planning and Transportation staff also believes the plan, as proposed has circulation conflicts. However, staff could support an office project at this location given the appropriate site plan and square footage of buildings. Staff received one letter of opposition, one letter of support and one phone call expressing concerns regarding this proposal. Planning Commission recommended approval for this request at their meeting on May 22, 2001, by a 4-3 vote. **In addition, Transportation staff submitted a diagram, which illustrates possible conflicts, related to the shared driveway and how the possible conflicts between the driveways might impact safety in the public right-of-way.**

**RECOMMENDATION:** Staff – Denial  
Public – Comments

- ATTACHMENTS:**
1. List of Attachments
  2. History & Facts / Description
  - 3-5 Comments / Reasons for Denial
  - 6-7 Conditions of Approval
- 
- A. Location Map
  - B. Site Plan
  - C. Elevations
  - D. Floor Plan
  - E. Conceptual Landscape Plan
  - F. Letter of Explanation/Intent
  - G. Letter of Support
  - H. Letter of Opposition
  - I. Aerial Photo

## **HISTORY & FACTS:**

September 13, 1979.

City Council approved a request of A.G. Spanos for a rezoning from C-2 to R-3 for 12.8 acres adjacent to the north of the subject site. This action included a condition (#11) that the remaining C-2 on Broadway adhere to a 30' building setback.

March 27, 1980.

City Council approved a Final Subdivision Plat for A.G. Spanos at the northwest corner of Broadway Road and Dorsey Lane. The subject property is Tract 4 at the SWC of that subdivision.

September 25, 1986.

City Council approved the request of Wen-Clay International for a site plan for Broadway Bank Office/Retail Center consisting of 51,446 s.f. on 3.7 acres. Note: This project never pulled building permits, therefore, their approval has lapsed.

May 8, 2001.

Planning Commission continued this request due to proposed site plan modifications.

May 22, 2001.

Planning Commission recommended approval for a site plan for a QuikTrip gasoline sales facility/convenience store and an office building including a use permit and variance by a 4-3 vote.

## **DESCRIPTION:**

Owner – QuikTrip Corporation, Dan Bonow  
Applicant – Development Strategies, Inc., Steve Bauer  
Architect – Architects Design Studio Inc., Mark Irby  
Existing zoning – C-2  
Total site area – 3.1 acres  
Total bldg. area –  
    Convenience Store – 5,326 s.f.  
    Office Building – 10,944 s.f.  
    Fuel Island Canopy – 9,878 s.f.  
Lot coverage – 19%  
Parking required – 64 spaces  
Total Parking provided – 90 spaces  
Landscaping – 43%

### Use Permit

Allow a fuel dispensing facility to be located in the C-2, General Commercial Zoning District.

### Variances

Allow a fuel dispensing facility to be located in an area away from the intersection of arterial streets.

**COMMENTS:** QuikTrip Corporation proposes a site plan for two buildings, a convenience store consisting of 5,326 s.f. with a fuel dispensing facility, and their regional office building consisting of 10,944 s.f. on 3.12 acres located at 1106 East Broadway Road.

### **Land Use**

From the outset of the review process, staff expressed opposition to the use permit and variance for the proposed convenience store/fuel dispensing facility use as not forming a compatible match for this infill site. The reasons were derived from the following:

- ◆ In accordance with the General Plan 2020 that more intense land uses, especially those dependent on heavy traffic generation should be relegated to arterial intersections;
- ◆ With limited developable sites remaining in Tempe, that the City should encourage high quality infill projects that promotes optimum uses and exemplify the highest standards, not merely the bare functional essentials to satisfy market conditions.

### **Site Analysis**

The proposed convenience store is oriented in the center of the parcel towards the west property line on an east/west axis facing Broadway Road with the fueling island located just south of the store. Parking for the convenience store is located adjacent to the building with additional spaces to the east and west of the building.

As for the office building, the proposed location is the northeast corner of the site on an east/west axis also facing Broadway Road. Parking for this building is located adjacent to the building with additional spaces just south of the building.

### **Use Permit and Variance**

A use permit is being requested with this proposal to allow a convenience store with a fuel dispensing facility in the C-2 Zoning District. Also requested is a variance to allow a fuel dispensing facility to be located in an area away from the intersection of arterial streets. The proposed location for this project is approximately 1,100 feet east from the northeast corner of Rural and Broadway Roads.

Evaluating the use permit, it appears that the fuel dispensing facility proposal does not pass the use permit tests listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas; or
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions; or
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan; or
- d. Compatibility with existing surrounding structures and uses; or
- e. Adequate controls of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.

### **Neighborhood Concerns**

An existing charter school appears to be located within 300 feet of the proposed convenience store. State law has restrictions on licensing premises near school or church buildings. An alcoholic beverage retailer's license shall not be granted to a location within 300 feet of school grounds. (Section 4-207)(See Attachment H) At the Planning Commission Meeting on May 22, 2001, a representative from the school of Humanities and Sciences Academy located at 1105 East Broadway Road spoke in opposition of the proposed site.

### **Other Concerns**

- ◆ 24 hour operation and impact on adjacent residential areas (noise, lights)
- ◆ Ingress/egress circulation at the western driveway
- ◆ Intensity of use, scale and number of fuel pumps (10)

Evaluating the requested variances, it appears that the fuel pumps facility proposal do not pass the variance tests listed below:

1. A variance shall not be authorized unless the application provides sufficient evidence:
  - a. That there a special circumstances or conditions applying to the land, building or use referred to in the application; and
  - b. That the authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and
  - c. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general.

The burden of proof for satisfying the aforementioned requirements shall rest with the applicant. A refusal of the use permit and variance shall not be interpreted as denial of a right, conditional or otherwise.

### **Circulation**

Access to the property is provided by way on Broadway Road. The eastern driveway provides limited access to the site and allows right-turns-in and right-turns-out only. The western driveway is signalized and provides full access to the site. Vehicles desiring to travel eastbound from the site would need to use the signalized driveway; however vehicles traveling westbound could use either driveway.

Public Works / Transportation has concerns regarding the width of the western driveway and possible "stacking" conflicts which might occur as a result of its width and shared use between this facility and the adjacent business. Their requirements indicate that the maximum driveway width shall be 40' wide, in which requires the applicant to reduce the driveway width by 15'. As shown on the site plan, access to the adjacent business is also via the westernmost driveway. Planning staff also sees potential conflicts and the possibility of traffic issues regarding stacking at the western driveway. While staff supports shared driveways, the plan as proposed appears to have circulation conflicts. Transportation has submitted the attached diagram, which illustrates possible conflicts, related to the shared driveway. Specifically, the diagram shows how the conflicts between the driveways might impact safety in the public right-of-way. (See Attachment J)

### **Conclusion**

Staff advised the applicant since the initial application of possible neighborhood concerns, land use issues, and conflicts with the western driveway width. The applicant's decision was to go forward with the application process. Staff received one letter of opposition, one letter of support and one phone call expressing concerns regarding this proposal. Staff believes that the proposed use is not appropriate for this location. However, staff could support an office project at this location given the appropriate site plan and square footage of building(s).

### **REASON(S) FOR DENIAL:**

1. The proposed convenience store with a fuel dispensing facility (10 pumps) for QuikTrip appears not to be appropriate for this location.
2. There is no special circumstances or conditions applying to the land, building, or the proposed use.
3. The authorization of the variance is not necessary for the preservation and enjoyment of substantial property rights.
4. Land uses that entail heavy traffic generation should be relegated to arterial intersections.
5. Circulation appears to be inefficient and unsafe.
6. More intense land uses, especially those dependent on heavy traffic generation should be relegated to arterial intersections

**SHOULD THE COMMISSION ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD BE ATTACHED**

**CONDITION(S)  
OF APPROVAL:**

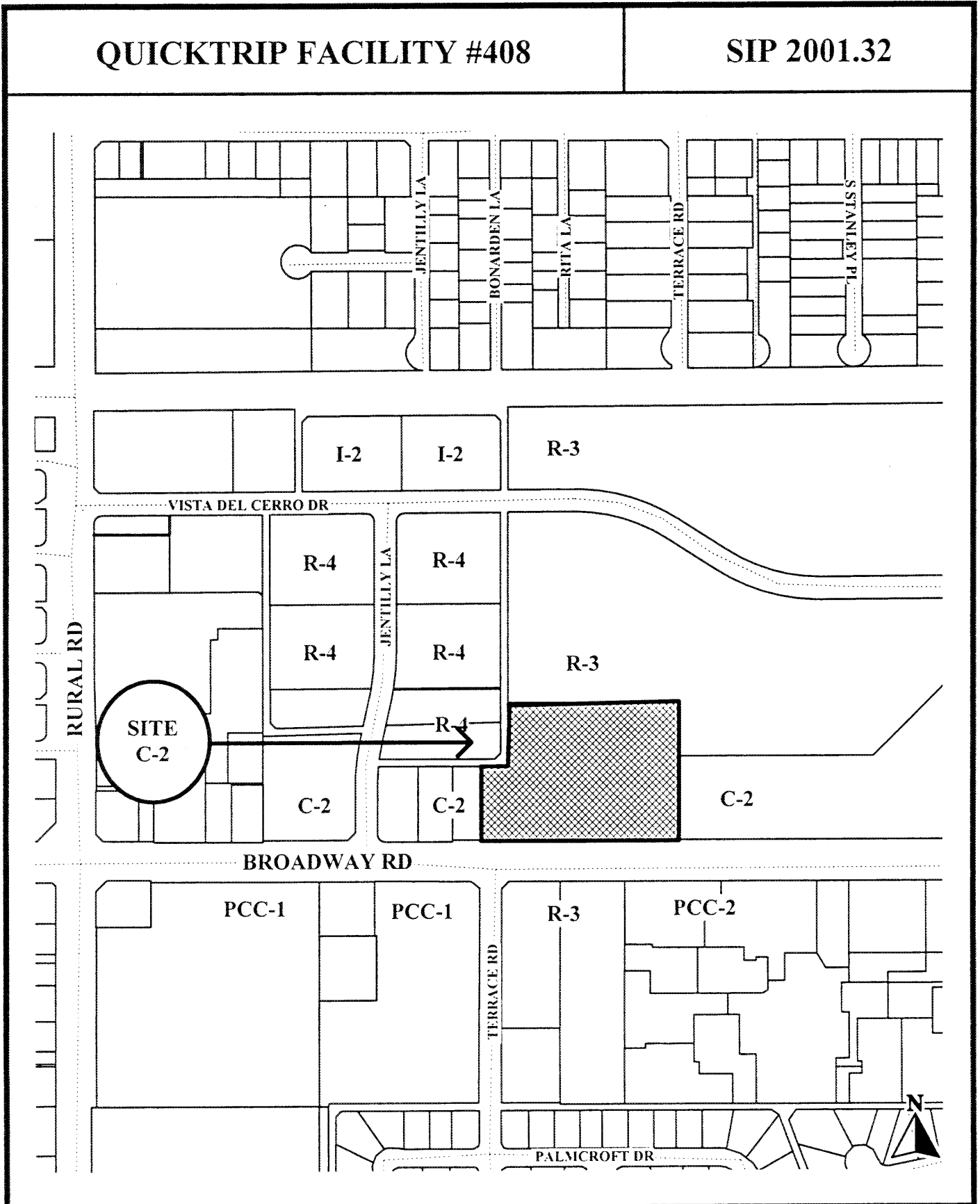
1.
  - a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.
  - b. Off-site improvements to bring roadways to current standards include:
    - (1) Water lines and fire hydrants
    - (2) Sewer lines
    - (3) Storm drains.
    - (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.
  - c. Fees to be paid with the development of this project include:
    - (1) Water and sewer development fees.
    - (2) Water and/or sewer participation charges.
    - (3) Inspection and testing fees.
  - d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
2.
  - a. All street dedications shall be made within six (6) months of Council approval.
  - b. Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.
  - c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the Code of the City of Tempe - Section 25.120.
3. No variances may be created by future property lines without the prior approval of the City of Tempe.
4. A valid building permit shall be obtained and substantial construction commenced within one year of the date of Council approval or the variance and use permit shall be deemed null and void.

5. The developer shall provide the City with satisfactory evidence of cross access onto adjacent property to the west, prior to the issuance of a building permit.
6. The applicant shall comply with all applicable state and federal laws regarding archeological artifacts on this site.
7. The use permit is non-transferable and is issued to QuikTrip Corporation only.
8. Reduce western driveway to 40'. Details to be approved by Public Works Transportation Department.
9. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.
10. Any significant verifiable police complaints (as determined by the City Attorney and Police Dept.) shall require the applicant to return to the City Council for re-evaluation of the use permit.
11. A Final Subdivision Plat must be approved by the City Council prior to the issuance of any construction permits for this project.
12. This request shall be approved by the Design Review Board, including all lighting and security details required by CPTED, prior to City Council approval.



# **QUICKTRIP FACILITY #408**

**SIP 2001.32**



**Location Map SEE OTHER SIDE FOR MORE INFORMATION**

**A**

# Legal Description

# Project Data

FROM COMMITMENT NO. 229 - 185 - 1320296 ( PARCEL "A" )  
LOT 4, OF SPANOS SUBDIVISION, ACCORDING TO THE PLAT  
OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF  
MARICOPA COUNTY, ARIZONA, RECORDED AS BOOK 223 OF  
MAPS, PAGE 41 AND AFFIDAVIT OF CORRECTION RECORDED  
JUNE 25, 1981 IN DOCKET 15338, PAGE 660 - EXCEPT THE  
EAST 130 FEET.

FROM COMMITMENT NO. 229 - 185 - 1326651 ( PARCEL "B" )  
THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION  
23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND  
SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY,  
ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID  
SOUTHWEST QUARTER 1453.00 FEET WEST OF THE EAST LINE  
OF THE SOUTHWEST QUARTER OF SAID SECTION 23

THENCE NORTH PARALLEL TO THE EAST LINE OF SAID  
SOUTHWEST QUARTER OF SECTION 23 A DISTANCE OF  
250.00 FEET

THENCE WEST 150.00 FEET

THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID  
SOUTHWEST QUARTER OF SECTION 23 A DISTANCE OF  
250.00 FEET TO A POINT ON THE SOUTH LINE OF SAID  
SECTION

THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION  
A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING

EXCEPT THE SOUTH 50.00 FEET AND

EXCEPT THE WEST 80.00 FEET

## OWNER

QuikTrip Corporation  
Corporated Office

2141 EAST BROADWAY ROAD, SUITE 110  
TEMPE, ARIZONA 85282  
(480) 446-6300  
FAX (480) 931-1971

## ARCHITECT:

ARCHITECTS DESIGN STUDIO  
Incorporated  
6025 SOUTH ASH AVENUE  
TEMPE, ARIZONA 85281  
(480) 894-8380  
FAX (480) 894-0440

## PROJECT ADDRESS

CONVENIENCE STORE: 1106 EAST BROADWAY ROAD  
TEMPE, ARIZONA  
OFFICE BUILDING: 112 EAST BROADWAY ROAD  
TEMPE, ARIZONA

## CONSTRUCTION CODE:

UNIFORM BUILDING CODE 1994  
UNIFORM MECHANICAL CODE 1991  
UNIFORM PLUMBING CODE 1991  
NATIONAL ELECTRICAL CODE 1996  
UNIFORM FIRE CODE 1994  
WITH CITY OF TEMPE AMENDMENTS

## ZONING:

C-2

## SITE AREA:

136,276 S.F. or 3.178 ACRES

## BUILDING AREA:

26,148 S.F.

STORE BUILDING AREA 5,326 S.F.  
FUEL ISLAND CANOPY AREA 9,878 S.F.  
OFFICE BUILDING AREA 10,944 S.F.

## SITE COVERAGE:

26,148 S.F. GROSS AREA / 136,276 S.F. = 19%

## LANDSCAPE ON SITE:

59,551 S.F. / 136,276 S.F. = 43%

## BUILDING HEIGHT:

(1) - STORY • 10'-0"

## CONSTRUCTION TYPE:

V-N, ( A.F.E.S. - Fire Sprinklered )

## OCCUPANCY GROUP:

STORE - M  
FUELING ISLAND - S-3  
OFFICE BUILDING - B

## OCCUPANT LOAD:

RETAIL • 4,902 SF / 30 • 163 OCCUPANTS  
OFFICE • 10,944 SF / 100 • 109 OCCUPANTS

## VEHICLE PARKING REQUIRED:

64 VEHICLES

CONVENIENCE STORE 4,902 SF • 1 SPACE PER 250 SF • 20 SPACES  
OFFICE BUILDING • 10,944 SF. • 1 SPACE PER 250 SF. • 44 SPACES

## VEHICLE PARKING PROVIDED:

93 VEHICLES

CONVENIENCE STORE • 23 SPACES  
OFFICE BUILDING • 67 SPACES

## INCLUDES:

( 64 ) STANDARD SPACES  
( 20 ) COVERED SPACES  
( 4 ) HANDICAP ACCESSIBLE SPACES  
( 2 ) VAN ACCESSIBLE SPACE  
( 3 ) VENDOR PARKING SPACES

## BICYCLE PARKING REQUIRED:

1 BICYCLES

CONVENIENCE STORE 4,902 SF • 1 SPACE PER 2000 SF • 3 SPACES  
OFFICE BUILDING • 10,944 SF. • 1 SPACE PER 2500 SF. • 4 SPACES

## BICYCLE PARKING PROVIDED:

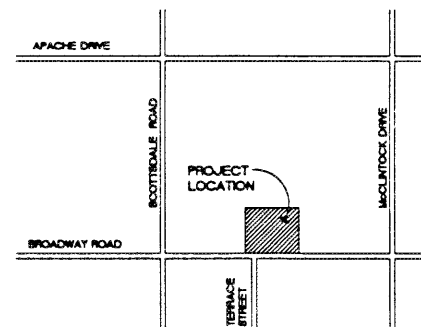
11 BICYCLES

CONVENIENCE STORE • 5 SPACES  
OFFICE BUILDING • 6 SPACES

## General Notes:

- ALL SITE ELECTRICAL AND PHONE DISTRIBUTION SHALL BE UNDERGROUND.
- ALL MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW BY BUILDINGS PARAPET OR MASONRY SCREEN WALLS.
- ALL BUILDING SIGNAGE SHALL BE BY SEPARATE PERMIT.
- DESIGN OF THIS BUILDING AND SITE SHALL COMPLY WITH - THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES ( ADAAG ) AS REQUIRED BY STATE LAW IN ADDITION TO MEETING THE REQUIREMENTS OF UBC CHAPTER 11.
- REDUCED PRESSURE / BACKFLOW PREVENTION DEVICES SHALL BE REQUIRED ON ALL DOMESTIC AND LANDSCAPE METERS.
- BUILDING ADDRESS NUMBERS SHALL BE A MINIMUM OF 12", OF CONTRASTING COLORS, WITH AN ILLUMINATED SOURCE FROM DUSK TO DAWN, AND NOT OBSTRUCTED BY LANDSCAPE OR OTHER CONFLICTS. DUSK TO DAWN ILLUMINATION AS APPROVED BY THE C.P.T.E.D. STAFF. ADDRESS NUMBERS MUST BE LOCATED ON FRONT BUILDING ELEVATION AND MOUNTED BETWEEN 15'-0" / 20'-0" ABOVE FINISHED PAVING.

## Location Map

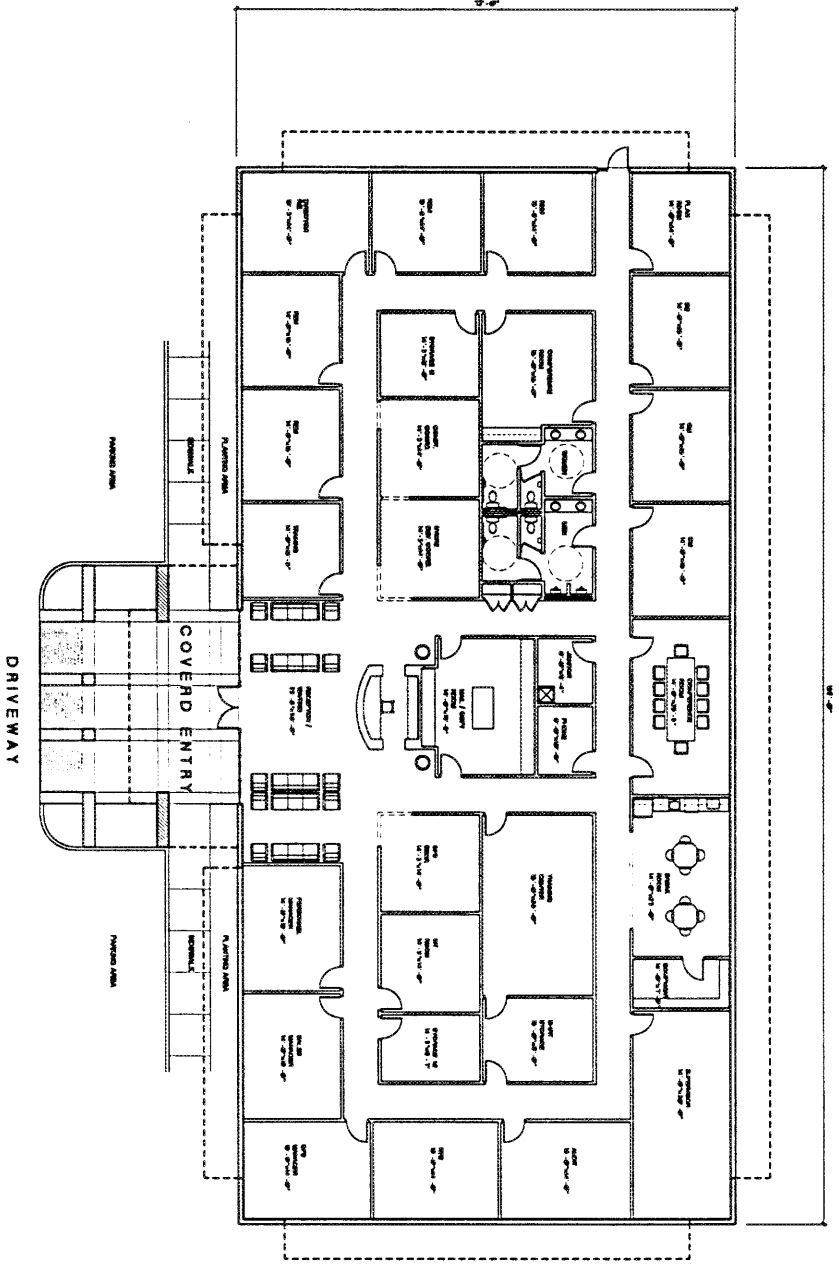


QuikTrip Corporation

APR 25 2001



7



**Proposed Corporate Office Plan**  
**QuikTrip Facility #408 Broadway Road, Tempe, Arizona**



Architects Design Studio  
 6005 South Main Avenue, Tempe, Arizona 85281 (480) 894-8280



**Schematic**

NOT FOR CONSTRUCTION  
 SCALE 1/8" = 1'-0"



CITY OF TEMPE

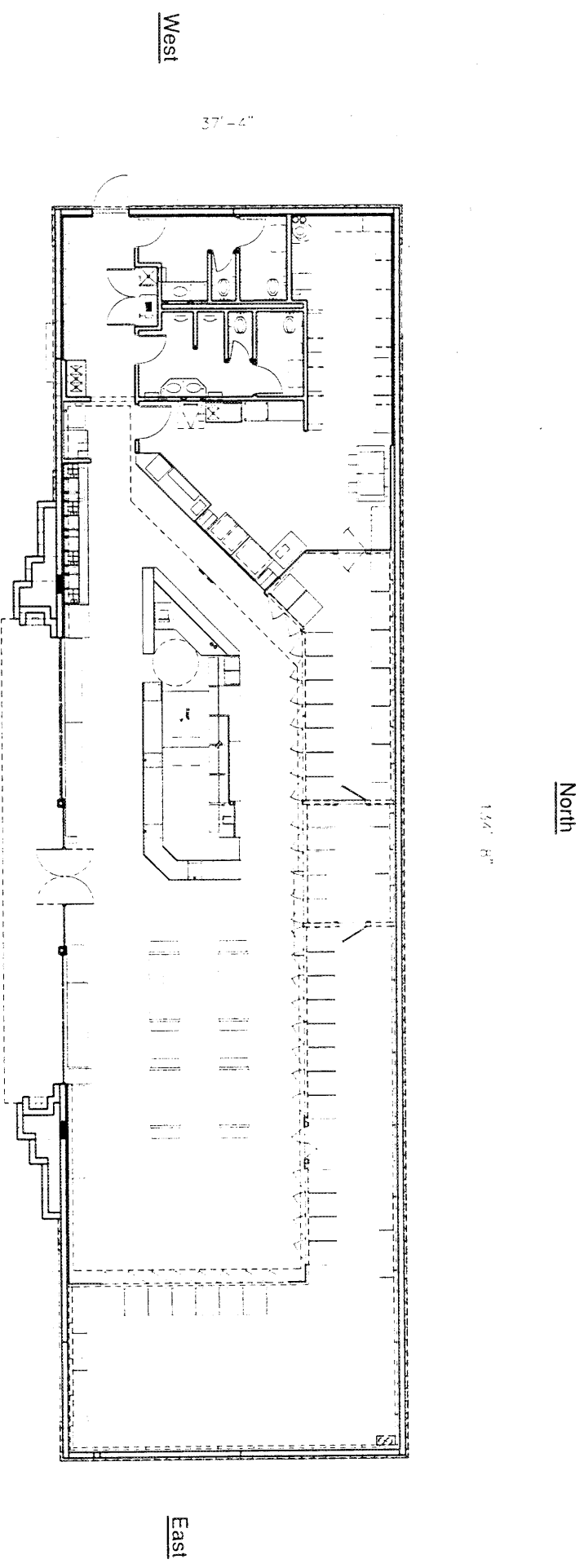
QUIKTRIP REVIEW SUBMITTAL -

**2**

APP 03 2003

SIP-2201-52

2



QuikTrip 408 Floor Plan

1. Viewpoint (408) Aug 05, 2001 1.1/00



**Building Plan**  
QuikTrip Store # 408  
Store Type: Phoenix 5000 Ultra Extended  
Date: 04/06/01  
Street: Broadway & Terece  
City: State: Tempe, Arizona  
Scale: 1/16" = 1'-0"

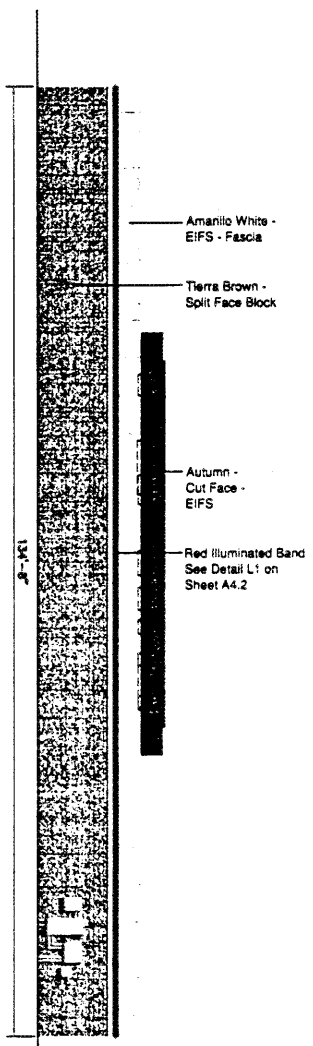
SIF. 2001.32

APR 11 2001

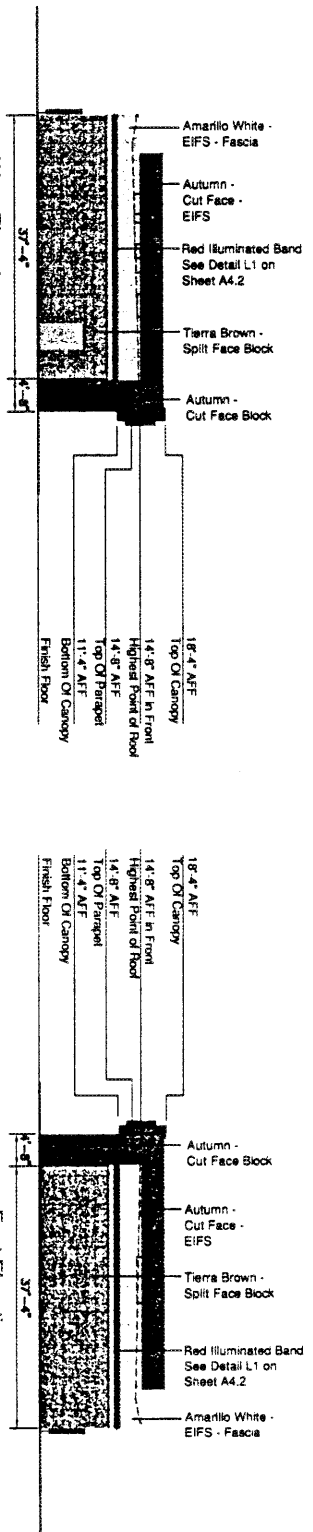
- Notes:
1. All signage under separate permit
  2. Mechanical units shall be screened in accordance with the Zoning Ordinance
  3. Utility boxes and conduits shall be painted to match building color

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North Elevation

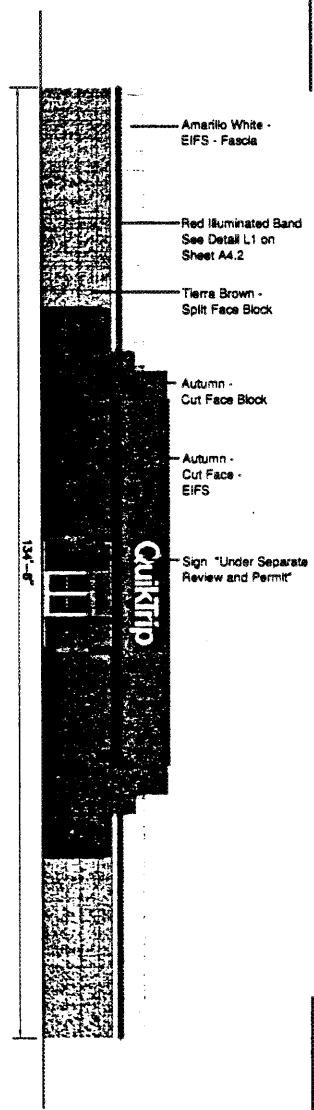


West Elevation



East Elevation

South Elevation



**QT**

**Building Elevations**

QuikTrip # 408

Date: 04/05/01

Street: Broadway & Tempe

City, St. Tempe, AZ

Convenience Store with Fuel

Prepared By QuikTrip

Scale: NTS

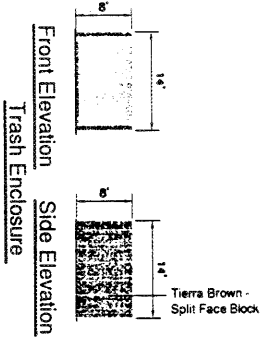
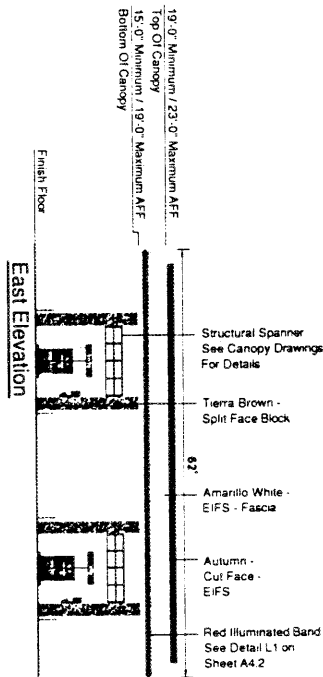
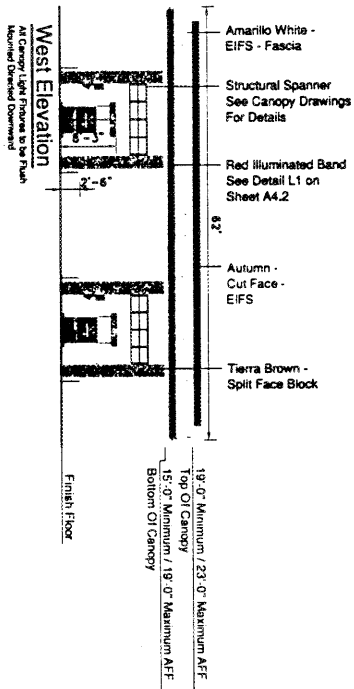
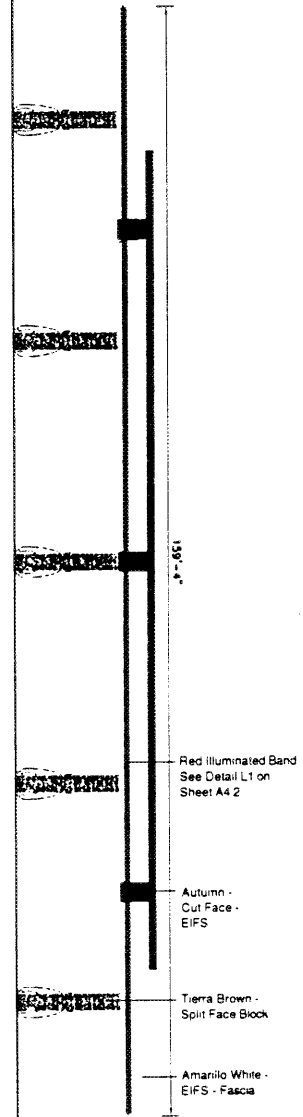
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SIP. 2001.32

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# South Elevation



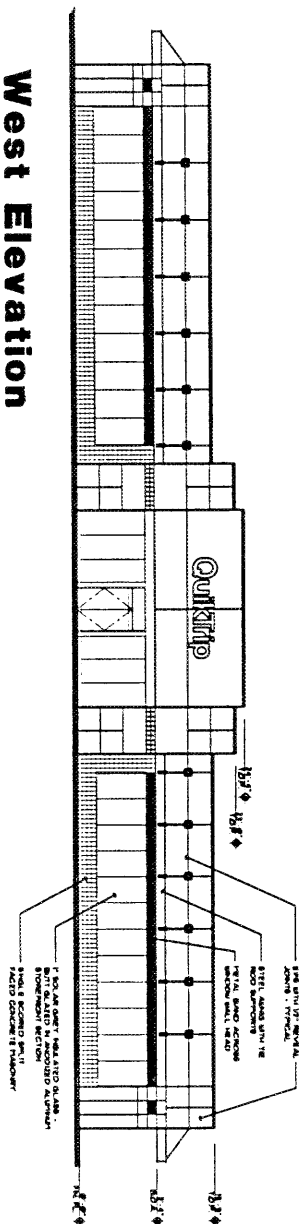
**Gas Elevations**  
 QuikTrip # 408  
 Date: 04/29/01  
 Street: Broadway & Tempe  
 City, St. Tempe, Arizona  
 Convenience Store with Fuel  
 Prepared by QuikTrip  
 Scale: 1/8" = 1'-0"

APR 10 2001

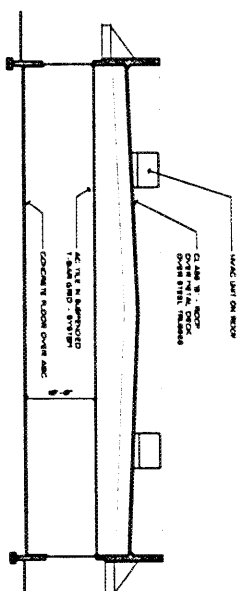
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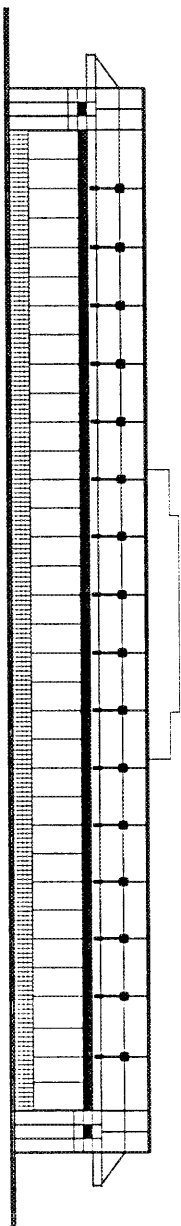
## West Elevation



## Building Section



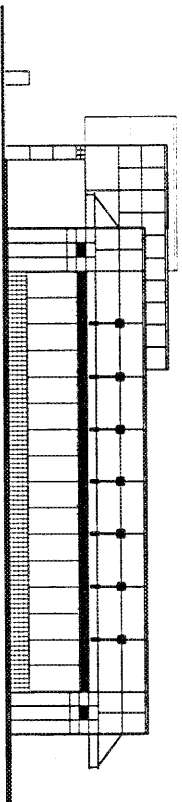
## East Elevation



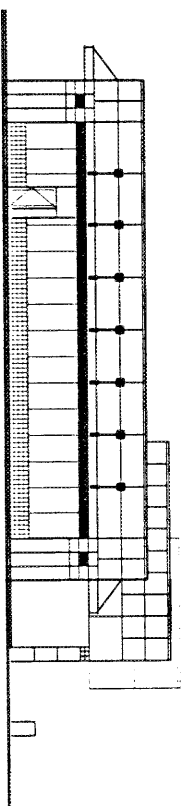
### General Notes:

- A. ALL RELEVANT INFORMATION SHALL BE CONTAINED WITHIN A FILE OF THE DPOA PARSANTO OR PARSANTO ESTATE FILES.
- B. ALL DATED RECORDS SHALL BE SEPARATELY FILED.
- C. DATED ACCOUNTING SHALL BE A NUMBER OF 10. DATED ACCOUNTING SHALL BE LITERALLY DATED FROM DATE TO DATE AND NOT COMBINED BY LAST NAME OR FIRST NAME. DATED ACCOUNTING SHALL BE LOCATED ON FRONT. DATED EVIDENCE AND RELATED RECORDS OF 10 OF ABOVE EVIDENCE SHALL BE

## South Elevation



## North Elevation



# Proposed Corporate Office Exterior Elevations QuikTrip Facility #408 Broad

# Schematic

NOT FOR CONSTRUCTION

SCALE 1/8" = 1'-0"

CITY OF TEMPE

 $\omega$ Architects Design Studio  
Incorporated

9805 South Ash Avenue, Tempe, Arizona 85281 (480) 894-8380



APRIL 10, 2008  
QUIKTRIP REVIEW SUBMITTAL -  
PROJECT / CASE #

APR 11 2001 SIP 2001.32





# SITE PLAN

## ~~AMENDED GENERAL AND FINAL PLAN OF DEVELOPMENT~~

1106 and 1112 East Broadway Road

### Narrative

QuikTrip Corporation proposes a new development for the 3.12 acre property located at 1106 and 1112 East Broadway Road in Tempe. The property is currently zoned C-2. The proposal includes an application for an Amended General and Final Plan of Development for a gasoline sales facility and an office building together with a use permit for a Service Station and a variance to permit a Service Station at other than the intersection of arterial streets is proposed.

The property is currently approved for a development of mixed commercial uses, including a retail complex, bank and office building. The approved plan for the property included the Sonic Drive-through restaurant site that is currently located to the east of the proposed QuikTrip development.

The gasoline sales facility will be owned and operated by QuikTrip Corporation. The proposed office building will become the Arizona headquarters for QuikTrip Corporation.

The proposed development comprises two buildings; a gasoline sales and retail store comprising 5,326 square feet and an office building comprising 10,544 square feet, respectively. The gasoline facility is oriented toward Broadway Road. The gasoline canopy is located in front of the gasoline sales building. Parking for the gasoline facility is located adjacent to the building and perpendicular to the building to the east of the building. A total of twenty-four (24) spaces are provided for this use.

The office building is a one-story building that is oriented perpendicular to Broadway Road. The main entrance to the office building is located on the west elevation. Parking for the office building is provided along the west and north sides of the building and in a large parking field located to the northwest of the office building, in the rear of the gasoline sales building. A total of sixty-seven (67) parking spaces are provided for the office use.

Access to the property is by way of Broadway Road. Two driveways are provided. The western driveway is signalized as it aligns with Terrace Road, a signalized intersection. Full movement access is available at this driveway. The eastern driveway is a right-turn-in, right-turn-out driveway, as a center median exists in Broadway Road at this location.

Generous landscape areas are proposed along Broadway Road. The office building is located more than 90 feet from the Broadway Road right-of-way and this entire setback will be landscaped. A twenty-foot (20') landscape setback is provided along Broadway Road, adjacent to the gasoline facility. Storm water retention areas are proposed along Broadway Road in front of the office building, in the northwest portion of the site, behind the gasoline facility and in the northeastern portion of the site, behind the office building.

A use permit and one variance are requested with this application. The City of Tempe Zoning Ordinance requires that a use permit be obtained for service stations in the C-2 zoning district. The

APR 10 2001

F

development criteria governing service stations requires that these uses be located at the intersection of arterial streets. The proposed location does not meet this criterion, thereby necessitating a variance.

The property is located in an area that is predominately commercially developed or planned for development. Land to the north is an existing apartment development Land to the west is developed with a Midas Muffler automobile repair facility. Land to the east is developed with a Sonic Drive-through restaurant. Land to the south is developed with a physical therapy facility in the old Tempe Theater building located at the southwest corner of Broadway Road and Terrace Drive. Land located at the southeast corner of Broadway Road and Terrace Drive is san old bank branch site currently being used as a charter high school. Land further to the east along the south side of Broadway Road is vacant land that is proposed for office and commercial uses.

The proposed development will provide services for area residents and travelers along Broadway Road. The QuikTrip retail store provides an excellent variety of foods and merchandise that is more like a small grocery store than a convenience store. The office building will provide the corporate home for QuikTrip Corporation. This strategic location affords access from Loop 101 and I-10.

APR 10 2001

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## Justification of Variance

### **QuikTrip Corporate Office and Gasoline Facility 1106 and 1112 East Broadway Road**

- 1. There are special circumstances or conditions applying to the land, building or use referred to in the application which do not apply to other properties in the district.**

The site in question is located at 1106 E. Broadway Road, on the north side of Broadway Road at the Terrace Drive alignment (the "Property"). The Property is zoned C-2 and is currently vacant and developed with a single employment office building. QuikTrip proposes to develop the Property with a new gasoline sales facility and retail store and an office building that will serve as QuikTrip's corporate offices in Arizona. The proposed project includes one (1) variance as follows:

- 1. A variance to allow a service station at other than the intersection of two arterial roads.**

The QuikTrip facility is unlike any other gasoline convenience store in the market. These facilities are appropriately located off corner to provide for neighborhood services as well as traveler services. As the proposed use does not include the servicing of vehicles, the use is no more intensive than other uses permitted by right in the C-2 zone, including pest control businesses, plant nurseries and other similar uses. The proposed use is consistent with the Sonic restaurant use recently developed immediately to the east of the site and the Midas facility located to the west of the site.

- 2. The above special circumstances or conditions are pre-existing and are not created or self-imposed by the owner or applicant.**

The limitation of gasoline facilities to arterial intersections is an old criterion. The intent of this standard is to place these uses where traffic concentrations are highest. However, as Tempe has grown, traffic patterns at arterial intersections are high and the concentration of these uses at intersections is not always the best solution. In recent years, gasoline facilities do not typically include service uses. In fact, a gasoline facility that is a "service station" is unusual. A number of gasoline facilities that do not include the servicing of automobiles have been approved at other than arterial intersections. Included in these is the QuikTrip facility at Warner and Hardy Roads and the Kicks 66 facility at Elliot and Hardy Roads.

- 3. The variance is necessary for the preservation and enjoyment of substantial property rights. Without a variance the property cannot be used for purposes otherwise allowed in this district.**

The requested variance will provide for the development of a use that is appropriate for this property and will serve the area. The Property has proven difficult to develop due to the access provided to the site. QuikTrip has assembled land to permit the use of the Terrace Drive traffic signal.

- 4. The authorizing of the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, or to the neighborhood or the public welfare.**

The proposed development will not be detrimental to the area. The gasoline facility is consistent with other service uses located in the immediate vicinity. The office use will provide a low intensity development for the major portion of the Property.

APR 10 2007 **F**

# Vison Investments, Ltd

4422 N. Civic Center Plaza, Suite 202

Scottsdale, AZ 85251

Tel (480) 945-1914

Fax (480) 946-8483

April 26, 2001


City of Tempe  
Planning & Zoning Commission  
P.O. Box 5002  
Tempe, AZ 85280-5002

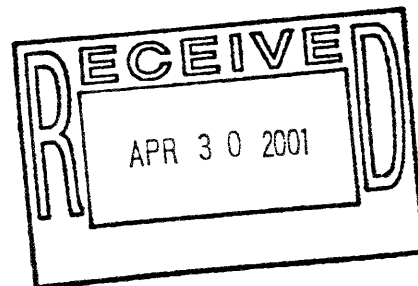
Re: QUICKTRIP FACILITY # 408  
Sip-2001.32

Dear Sirs:

We are in favor of the Quick Trip Corporation project of facility #408.

Sincerely,

  
Marino Godi  
President



**To:** City of Tempe, Development Services Department  
**From:** Michael Curd  
**Date:** 5-17-01  
**Re:** Broadway Road / QuickTrip Facility SIP-2001.32

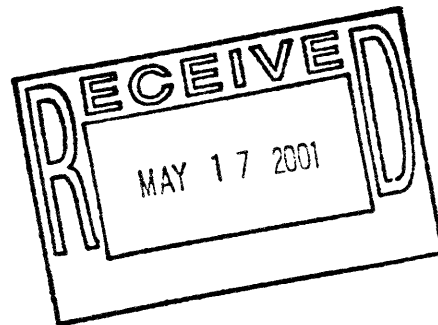
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Thank you for informing us of the Public Hearing for QuikTrip location.

The City should be aware of laws that are in place regarding sale of alcohol within the proximity of school grounds. We also understand there exists a similar law regarding the sale and use of tobacco products.

State law has mandated that sale and possession of alcohol in proximity of 300 feet of school grounds is prohibited.

4-207 Alcoholic beverage retailers license shall not be granted to a location within 300 feet of school grounds. (Copy attached)



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MICHAEL CURD, ARCHITECT

5 Camp Green Lane Road Green Lane PA 18054

phone: (215) 234 - 4770 fax: (215) 234 - 8150 email: [sdesign@nmi.com](mailto:sdesign@nmi.com)

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4-207 - 4

PAGE 1 OF 2

**4-207. Restrictions on licensing premises near school or church buildings: definition**

A. A retailer's license shall not be issued for any premises which are, at the time the license application is received by the director, within three hundred horizontal feet of a church, within three hundred horizontal feet of a public or private school building with kindergarten programs or any of grades one through twelve or within three hundred horizontal feet of a fenced recreational area adjacent to such school building. This section does not prohibit the renewal of a valid license issued pursuant to this title if, on the date that the original application for the license is filed, the premises were not within three hundred horizontal feet of a church, within three hundred horizontal feet of a public or private school building with kindergarten programs or any of grades one through twelve or within three hundred horizontal feet of a fenced recreational area adjacent to such school building.

B. Subsection A of this section does not apply to a:

1. Restaurant issued a license pursuant to section 4-205.02.
2. Special event license issued pursuant to section 4-203.02.
3. Hotel-motel issued a license pursuant to section 4-205.01.
4. Government license issued pursuant to section 4-205.03.
5. Fenced playing area of a golf course issued a license pursuant to this article.

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ADJACENT  
BUSINESS

QUICKTRIP

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